



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/590,138	06/09/2000	Jiro Yamada	HYAE:101	1753

7590 04/29/2004
Parkhurst & Wendel LLP
1421 Prince Street Suite 210
Alexandria, VA 22314

EXAMINER

BOCCIO, VINCENT F

ART UNIT	PAPER NUMBER
----------	--------------

2615

DATE MAILED: 04/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/590,138

Applicant(s)

YAMADA ET AL.

Examiner

Vincent F. Boccio

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7 & 8.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Art Unit: 2615

DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2615.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-5 are rejected under 35 U.S.C. 102(a) as being anticipated by Mori, Yoshihiro et al. (EP 0 896 335 A2).

Regarding claims 1-5, Mori discloses and meets the limitations associated with optical disc having physical and data layers (page 6), and associated apparatus, wherein the optical disc comprises:

- at least one audio/video data storage area (Fig. 29, page 7, "0043 & 0044 & 0046 & 0047", "audio and video zone regions" and data), which contains at least one audio or video title sets (audio and video title sets);
- at least one title set management information storage area (page 7, "0043-0047" etc.....), which contains audio/video sequence information indicating a playback order of prescribed pieces of audio/video data constituting an audio/video sequence (met by the zone regions also have management information for managing the order of reproducing a plurality of the audio/video data); and
- object position information indicating positions of the audio/video data on the optical disc (page 9, "PGC information one or more VOB addresses", page 11, "program chain information ... one or more AOB s", etc.....,

Art Unit: 2615

met by the VOB and AOB, the management information for individual songs or video the management information includes data or position information to locate and reproduce the audio and video objects, Fig. 15, movie objects, Fig. 16 A & B);

- at least one disc management information storage area which contains disc management information for managing the whole disc, including title set position information indicating a position of the title set on the optical disc (Fig. 27 and/or 18, "AGM and/or VGM", also page 7, "0042" and Fig. 7),

wherein the apparatus comprises:

reading means (Fig. 10, reading head for disc of player 1) for reading with respect to the sequence, object position; and title set position information and management information from the optical disc (data and information as recited above on the disc recorded to media);

- control means (Fig. 12, CPU etc.....);
- storage means for storing disc management information from the disc (buffer 93 A of system control section 93);
- user input means for selecting information (Figs. 10 and 11, "91", Figs. 15 and 5);

wherein the control means controls the reading means based on various management, sequence, chain PGC, title set information, based on the disc and player, to successively playback audio or video with respect to audio, audio with respect to video (Figs. 26, 27, 13 A, 13 B, 14 A, 14 B etc...), and wherein selecting one of the plural kinds of management information is given, to perform playback of audio or video or audio and video, based on title set position information, disc management information and object position information, based on the reproduction mode (Figs. 13-14).

Art Unit: 2615

Contact Fax Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communication intended for entry)

or:

(703) 308-5359, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).


Contact Information

1. Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Thursday, 8:00 AM to 5:00 PM Vincent F. Boccio (703) 306-3022.

If any attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Andy Christensen (703) 308-9644.

Any inquiry of a general nature or relating to the status of this application should be directed to Customer Service (703) 306-0377.

Primary Examiner, Boccio, Vincent
4/27/04


VINCENT BOCCIO
PRIMARY EXAMINER